

Appl. No. 10/721,660
Amdt. dated April 21, 2010
Reply to office action of December 22, 2009

REMARKS

This is in response to the Office Action mailed on December 22, 2009. The Office Action rejected Applicants' Claims 47-48, 51-52, 54-61 and 64-65 as being obvious in view of the combination of US Patent No. 6,324,467 ("Machii") and EP 0943894A2 ("Livshutz"), and Claims 62-63 as being obvious in view of the combination of Livshutz, Machii and US Patent No. 6,707,421 ("Drury").

Applicants have amended Claims 47, 56 and 64; no new matter has been added. Applicants respectfully request the Examiner to reconsider the present application in view of the following remarks. Applicants submit that all pending claims are in condition for allowance.

Claim Objections

Applicants have amended Claim 47 to indicate that the specified criteria at line 23 are the same specified criteria as recited at line 21. Applicants have also amended Claims 47, 56 and 64 to maintain consistency using "the" rather than "said" in the claims.

Independent Claim 47

Claim 47 has been amended to better clarify the present invention; no new matter has been added. Claim 47 was rejected as being obvious in view of the combination of Livshutz¹ and Machii. Applicants respectfully point out that the claim element of "on the end user computing platform, using data from the transmitted parcels that represent the geographic features encompassed in the geographic sub-areas that the route passes through to find said point of interest based upon said specified criteria that is located proximate the route without making a request to the server." The Office Action indicated that because the map data with geographic features such as points of interest (school, post office) in the transmitted parcels are in the user computing platform, there is no need to make a request back to the server for the point of interest. (see, Office Action: page 6). However, this is not disclosed in the cited references; in fact, both references teach away from this claim element.

¹ The Livshutz patent is assigned to the assignee of the present application, NAVTEQ North America, LLC. To the extent permitted by law, any statements in the present Amendment regarding the disclosure of the Livshutz patent should not be used to restrict the scope of claims in the Livshutz patent.

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The Machii system is unable to perform the above recited claim element because Machii does not provide map data in a format that enables a search for a point of interest, such as for a destination request. In the Machii system, the server sends either an image data map or a vector data map, both of which are used merely to display a map image at the terminal. (*see* Machii: col. 10, lines 24-36). That is, Machii does not send "data contained in the parcels includes data that is searchable for identifying points of interest located in the geographic sub-areas the route passes through" as recited by Claim 1. Thus, after receiving the image data map or vector data map, the terminal does not have data that can be used to search for and identify the requested point of interest proximate the route. The Machii system can only use the map data to display the map image. To reply to the request for a point of interest or destination, the Machii system clearly teaches sending the request to the server that searches the destination database associated with the server. (*see* Machii: FIGS. 10 & 18, col. 14, lines 51-54).

Livshutz discloses a geographic database with subsets of geographic data for different navigation system functions, for example, routing data for route calculation. (*see* Livshutz: paragraph 0031). Although Livshutz discloses point of interest data, Livshutz has no disclosure relating to replying to a request for identifying a point of interest based upon said specified criteria that is located proximate the route. When the system of Livshutz receives a request for a point of interest, the Livshutz system would make another request to the server via the wireless communication link for data from the geographic database. (*see* Livshutz: paragraphs 0026 & 0112).

For at least these reasons, Claim 47 is not obvious in view of the combination of Livshutz and Machii.

Independent Claim 56

Claim 56 was rejected as being obvious in view of the combination of Livshutz and Machii. Claim 56 has been amended to recite "the data contained in the parcels includes data that is searchable for identifying points of interest located in the geographic sub-areas the route passes through," and "a point of interest look up application on the end user computing platform that receives a request for a point of interest and uses the transmitted data stored in the local memory that represent the geographic features encompassed in the geographic sub-areas that the route passes through to identify the requested point of interest that is located proximate the route

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without making a request to the server." Claim 56 is not obvious in view of the combination of Livshultz and Machii for similar reasons as discussed above in conjunction with Claim 47.

Independent Claim 64

Claim 64 recites "the data contained in the parcels includes data that is searchable for identifying points of interest located in the geographic sub-areas along the route;" and "on the mobile computing platform, after said step of storing the transmitted parcels in the local memory, receiving a request for a point of interest and accessing data from the local memory to find said point of interest that is located along the route without making a request to the server." Claim 64 is not obvious in view of the combination of Livshultz and Machii for similar reasons as discussed above in conjunction with Claim 47.

Petition for extension of time

Included with this response is a request for an extension of time to reply to the Office Action dated December 22, 2009. Included with this response is an authorization for payment of the fee associated with this request.

Conclusion

With the present response, all the issues in the Office Action mailed December 22, 2009 have been addressed. Applicant submits that the present application has been placed in condition for allowance. If any issues remain, the Examiner is requested to call the undersigned at the telephone number indicated below.

Respectfully submitted,



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